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Elections to fill vacancies in subsidiary organs and other elections: election of 47 members of the Human Rights Council

Note verbale dated 13 April 2006 from the Permanent Mission of Senegal to the United Nations addressed to the Secretariat

The Permanent Mission of Senegal to the United Nations presents its compliments to the United Nations Secretariat and has the honour to inform it that Senegal has decided to put forward its candidacy for membership in the Human Rights Council, elections for which will be held at United Nations Headquarters on 9 May 2006.

The Permanent Mission of Senegal would be grateful if the United Nations Secretariat would register its candidacy and bring it to the attention of Member States. The aide-memoire on the contribution and pledges of the Government of Senegal in the field of human rights will be submitted shortly (see annex).

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Annex to the note verbale dated 13 April 2006 from the Permanent Mission of Senegal to the United Nations addressed to the Secretariat

The Permanent Mission of Senegal to the United Nations presents its compliments to the United Nations Secretariat and, in addition to its note verbale of 13 April 2006 regarding the candidacy of Senegal for membership in the Human Rights Council and pursuant to General Assembly resolution 60/251, has the honour to attach herewith the aide-memoire on the contribution and pledges of the Government of Senegal in the field of human rights.

The Permanent Mission of Senegal would be grateful if the Secretariat of the United Nations would transmit this document to the States Members of the United Nations.

Enclosure

[Original: English and French]

Aide-memoire on the contribution and pledges of the Government of Senegal in the field of human rights

In conformity with resolution 60/251

Senegal has decided to submit its candidacy for membership in the new Human Rights Council whose members shall be elected on 9 May 2006 at the sixtieth session of the United Nations General Assembly.

In the build-up to these elections, the Government of Senegal herein wishes to highlight some of the major contributions it has made with success on the promotion and protection of human rights.

Since independence, Senegal pursues vigorous efforts to build and maintain the rule of law in a legitimate State that exercises due observances of the separation of powers, respect for the Constitution and the inalienable rights it embodies, and strong democratic traditions and stable public institutions.

Senegal is committed to the universal values of democracy, peace and sustainable development.

Human rights are central to the Constitution and institutions in Senegal, the only African country to be a member of the Commission on Human Rights for 26 straight years, and again from 1998 to 2003, Senegal served as the Commission's Chair on three occasions in 1968, 1978 and 1988, an eloquent testimony of the confidence the international community has continually entrusted in Senegal in this regard.

- This period, a decisive one in the history of the Commission on Human Rights, saw the defining of human rights standards and setting up of special procedures for monitoring implementation of these rights (Working groups, Independent Experts or Special Representatives).

- Senegal played a pivotal role in codifying the norms of international law, especially on human rights and international humanitarian law, participating actively to design, among other instruments, the African Charter on Human and Peoples' Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, as well as contributing to the progressive affirmation of the right to development.

- The rights and freedoms of the human person are embedded in Senegal's legal arsenal. Individual persons and groups of individuals have a diverse range of reliable grounds for appeal to draw on and protect these rights and freedoms as well as their own legal prerogatives.

- The inviolate respect of the human person is affirmed in the Constitution of Senegal. Article 7 stipulates that "the human person is a sacred and inviolable legal entity, and the State has an obligation to defend and protect this inviolability".

- The members of Senegal's Constituent Assembly, considering the preamble to the Constitution as an integral part of this, attempted to confer constitutional impetus to the international provisions on human rights to which reference is made in this preamble, inter alia, the Universal Declaration of Human Rights of 10 December 1948, the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, the Convention on the Rights of the Child of 20 November 1989, and the African Charter on Human and Peoples' Rights adopted in June 1981.

- Senegal has embarked on a renewal of the Penal Code, the Code of Penal Procedure and the Code of Military Justice, with a view to implementing international human rights provisions to improve the administration of justice and the fight against impunity.

- Senegal also has:

  - Abolished the death penalty with Law No. 2004-38 of 10 December 2004 after several decades of de facto prohibition.

  - Adopted Law No. 2005-06 of 10 May 2005 to prevent and punish slave trade and related practices and protect the victims of slave trade.

  - Appointed, by decree No. 2004-657 of 2 June 2004, a High Commissioner for Human Rights and Peace Building with the rank of Minister.

  - Instituted by decree No. 005691 of 6 July 2004, a National Advisory Council for Human Rights, composed of public servants from ministerial departments and representatives of non-governmental organizations specialized in human rights, international humanitarian law, and women's and children's rights. One of the cardinal missions of the Council is to enhance observance of human rights and the promotion of a culture of peace.

- Senegal was the first country in the world to ratify the Rome Statute of the International Criminal Court. It has since played an active role and given unbending support to this jurisdiction by advocating vigorously for African Member States to sign and ratify the Statute. Recently, Senegal donated 76,224 euros (50 million F CFA) to the Victims Trust Fund of the International Criminal Court.

- Senegal, thanks to the input of its experts, has been a key player in the promotion, reinforcement and codification of international law, not least, the protection and promotion of the rights and freedoms of the human person, as well as the right to development.

- Senegal boasts several awards from renowned international intergovernmental and private institutions, presented to the representatives of the Government of Senegal, and particularly the President of the Republic, His Excellency Abdoulaye Wade, for Senegal's active role in the promotion of human rights. Some of these awards include:

  - The ISESCO Diploma and Gold Medal for Peace, 2003

  - The Democracy, Human Rights and Diaspora Award

- The International League for Human Rights Award, September 2004
- The Harriman Democracy Award from NDI, Washington
- The Hiroshima Peace Stone Award for Africa, Tokyo 2003
- The Canne d'Or de la Paix Award from the Coalition of African Women Leaders, 2005
- The First Lomé African Peace Meeting Award from *lauriers d'or de la paix*
- The Médaille et Canne d'Or de la Paix from the Universal Council for Peace in East and Central Africa, 2002
- The WWF Donation to Nature Award, 2005
- The Gender Award from the African Committee of African Women Jurists, 2005
- The Medal of Acknowledgement Award from the African Women Jurist Federation
- The Felix Houphouët Boigny Peace Award, UNESCO, 16 May 2006

In the same vein, Senegal undertakes to:

- Maintain strict observance of the universal human rights conventions and protocols it has ratified so far, so as to consolidate the progress made.
- Ratify, in 2006, the few international human rights instruments it has yet to ratify, such as:
  - The Convention on Imprescriptibility of Crimes of War and against Humanity, signed in New York on 26 November 1968.
  - The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, already signed by Senegal in New York on 18 December 2002. The Cabinet meeting of 2 January 2006 adopted the bill of ratification and has sent it to Parliament for deliberation and enactment.
- Continue, as before, to welcome custodians of mandates for special human rights procedures or mechanisms by giving them the best conditions to accomplish their mission.
- Continue, as before, to welcome custodians of mandates for special human rights procedures or mechanisms by giving them the best conditions to accomplish their missions.
- Reaffirm its support to the United Nations High Commissioner for Human Rights and pay its annual dues and donations to the Office of the High Commissioner for Human Rights.
- Support the operational activities of the United Nations in the area of human rights.
- Respect deadlines for transmitting periodic reports on implementation of relevant provisions of international human rights instruments to treaty monitoring bodies.

- Contribute in elaborating all provisions on the operationalization of the new Human Rights Council.
- Subject itself to the universal periodic reviews of the Human Rights Council.
- Contribute in promoting dialogue and cooperation as the first means of reinforcing the observance of human rights as well as the protection of their universality and indivisibility.
- Pursue, with a view to reinforcing, active cooperation and consultation with non-governmental organizations at the national and international levels.
- Cooperate fully with the Human Rights Council with a view to making it more efficient in the promotion and protection of human rights.